

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: St. Paul
 FILE NUMBER: 04-159525-JMK

REGULATORY PROJECT MANAGER: Judi Kolb Date: Sept. 1, 2004

PROJECT REVIEW/DETERMINATION COMPLETED: In the office Y (Y/N) Date: Sept. 1, 2004
 At the project site (Y/N) Date:

PROJECT LOCATION INFORMATION:

State: Minnesota
 County: Pine
 Center coordinates of site by latitude & longitudinal coordinates: 46.1862937834044 -92.821926895861
 Approximate size of site/property (including uplands & in acres): 30
 Name of waterway or watershed: Kettle, Minnesota

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands	X								
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									

¹ Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?	X				
Is or would be used as habitat by other migratory birds that cross state lines?					X
Is or would be used as habitat for endangered species?		X			
Is used to irrigate crops sold in interstate commerce?		X			

¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Preliminary X Or Approved

ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs):

The isolated wetland is surrounded by upland area. There are no indications that the wetland historically had any type of surface water connection with any other waterways, or any navigable or interstate waters. The entire wetland lies within Pine County, Minnesota.